

REMARKS

Currently claims 1-3, 5-13, 15-20 and 22-25 are pending in this application. By this Amendment, claims 1, 8, 19 and 24 have been amended, no new claims have been added and no existent claims have been canceled. Pursuant to the foregoing amendments and following remarks, Applicants respectfully request that the Examiner reconsider his basis for rejecting the claims as set forth in more detail below.

I. Claim Rejections 35 U.S.C. § 112

The Examiner has rejected claims 1-25 under 35 U.S.C. § 112, first paragraph as failing to comply with the written description requirement. This rejection is respectfully traversed.

With regards to the claimed invention, Applicants have, in the spirit of compact prosecution, further clarified the claimed invention, to include certain elements that the Examiner has taken issue with, with regards to the foregoing rejection. Applicants expressly do not concede that any clarifying amendments have been made based on any implicit agreement therewith, other than any express discussion contained herein.

Accordingly, pursuant to the above claim amendment, Applicants believe that any concern including those specific to the 112, first paragraph rejection have been obviated. Accordingly, Applicants respectfully request the withdrawal of the outstanding claim rejection under 35 U.S.C. § 112, first paragraph.

In addition, the Examiner has rejected claims 1, 8, 19 and 23 under 35 U.S.C. § 112, second paragraph for allegedly failing to particularly point out and distinctly the subject matter which Applicants regard as their invention. This rejection is respectfully traversed.

Specifically, the Examiner has rejected claims 1, 8 and 19, as well as claim 23 for lack of antecedent basis. Applicants believe that the foregoing amendments to the claims also address any improper antecedent basis, and accordingly obviate the outstanding rejection.

Applicants respectfully request the withdrawal of the rejection of claims 1, 8, 19 and 23 under 35 U.S.C. § 112, second paragraph.

II. Claim Rejections – 35 U.S.C. § 103

The Examiner has rejected claims 1-3, 5-13, 15-20, 22, 23 and 26 under 35 U.S.C. § 103(a) as being unpatentable over Anuff et al., U.S. Publication No. 2003/0056026 A1, hereinafter “Anuff”, Kanevsky et al., U.S. Publication No. 2002/0089546 A1, hereinafter “Kanevsky”, and Olander et al., U.S. Publication No. 2005/0005243 A1, hereinafter “Olander”; and rejects claim 24 under 35 U.S.C. § 103(a) as being unpatentable over Anuff. These rejections are respectfully traversed.

Over the course of the prosecution of the instant application, the Examiner has admitted that Anuff fails to disclose or suggest a framework that includes a plurality of containers configured to accept one or more modules. See, for example, the first Office Action on the merits, with a mail date of November 20, 2006. Furthermore, Applicants believe that both Anuff and Kanevsky fail to disclose or suggest a framework that includes a plurality of containers configured to accept one or more modules.

In the Examiner’s attempts to combine Anuff with Kanevsky, the Examiner, in his response in a Final Office Action with a mail date of June 11, 2007, asserts that although Anuff allegedly teaches defining a look and feel of the pages and navigation structure of a site (see paragraph 133), which Applicants do not concede. It appears that the Examiner has based this interpretation upon paragraph 60 found in Anuff. Specifically, the Examiner asserts “a framework for managing the look and feel of the site’s content and navigational links.” May be found within Anuff, at paragraph 60. However, close examination of paragraph 60 merely describes administrative privileges for a specific site administrator. Applicants respectfully assert that this distinction in addition to several others, appears to support the conclusion that the Examiner has misconstrued the subject matter of Applicants’ claimed invention.

Insofar as the Examiner is determined to maintain this current speculative basis, the Examiner is respectfully reminded that pursuant to *KSR* the U.S. Supreme Court has clearly noted that any analysis supporting a rejection under 35 U.S.C. § 103(a) should be made explicit, and that it was “important to identify a reason that would have prompted a person of ordinary skill in the art in the relevant field to combine the [prior art] elements” in the manner claimed. See, for example, *KSR*, Slip Opinion at 14.

Therefore, in formulating a rejection under 35 U.S.C. § 103(a) based upon a combination of prior art elements, it remains necessary to identify explicitly the particular analysis why one of ordinary skill in the art would have combined the prior art elements in the explicit manner claimed.

Insofar as the Examiner appears to have misconstrued the claimed invention, for reasons which we will set forth below, although we have touched on many of these reasons and rationales in earlier responses, we believe that the Examiner has failed to rigorously examine the claimed invention. As such, and failing an explicit and not merely circumstantial basis, Applicants would respectfully request the Examiner to reconsider the combination of elements, expressly in light of the claimed invention, and in formulating his response thereto appropriately address the claimed subject matter accordingly, and not merely by circumstantial citation.

Insofar as the claimed invention, as amended, still needs to be distinguished beyond the asserted combination of prior art references, Applicants respectfully set forth that the claimed invention is significantly different from at least the Examiner’s chosen circumstantial combination for at least the reasons set forth below.

Applicants’ claimed invention is clearly distinguishable from the asserted combination for at least the basis that the asserted combination fails to at a minimum teach, disclose or suggest each and every element in the explicit combination so set forth in the claimed invention as set forth above.

Focusing upon the Examiner's reliance upon Anuff, for example, it appears that Anuff has been relied upon as previously asserted for the administrative privileges that may be employed by a specific site administrator. However, Applicants respectfully assert that their claimed invention is fundamentally distinct from any aspects of the so-called administrative privileges that a site administrator may so control. That is to say that one fundamental distinction may include the visual elements or appearance of the user interface, when the user interface, that may be generated is directly supported by the adaptable, that is to say, customization of the code supporting the framework on which a user interface operates.

The particular formatting specification that includes a standardized set of flexible styles, attributes of which are set for defining a plurality of visual characteristics of the at least one content module and, the at least one navigation module with the visual characteristics instantiating and displaying at least a portion of the framework after at least one content module is inserted in to the framework, wherein if one of said plurality of containers does not contain a module or another container after creating an instance of the at least one navigation module that associates the same data type between the data-level and the application-level, the container shrinks thereby effectively disappearing from the instantiated framework when the user interface is displayed.

Applicants are unaware of how to interpret the particular combination of references, for example the allegation that Kanevsky teaches a reformatting of a GUI (see paragraph 5) similar to that of Anuff and Olander, but further teaches, in paragraphs 5-10 and 23 dynamic resizing the containers based on the content inserted to the container, where it would be obvious that a window with no content would effectively disappear. See, for example, the Office Action with a mail date of February 1, 2008 at page 6, second paragraph. With all due respect, the adaptation that is of the container based on specific content takes place at the data level, therefore when certain data types are interconnected, at the data-level, the framework that would support any visual manifestation at the application-level makes the necessary adaptation. These are fundamental tenants with regards to object classes and the way the object classes interrelate with variables and data types. That said, these particular assertions by the Examiner that reference a

“window” indicate that the Examiner is not looking at the data level event, and has misconstrued the claimed subject matter.

As such, Applicants respectfully assert that the claimed invention, clarified by the foregoing claim amendments, is distinctly different from the asserted combination made by the Examiner.

Therefore, Applicants respectfully assert that the asserted combination of either Anuff, Kanevsky and Olander, or Anuff and Olander, fail to address the known elements in the fashion as claimed by the Applicants, and as such, the claimed invention is clearly distinct from the asserted combination, even if the asserted combination which the Applicants do not concede, may be appropriately determinable in view of the Supreme Court decision pursuant to KSR.

Therefore, Applicants would appreciate the withdrawal of the outstanding rejections of claims 1-3, 5-13, 15-20, 22, 23 and 26 under the asserted combination of Anuff, Kanevsky and Olander, as well as the rejection of claim 24 under the asserted combination of Anuff and Olander.

III. Conclusion

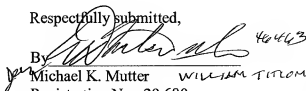
In view of the above amendment, Applicants believe the pending application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact William D. Titcomb Reg. No. 46,463 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.147; particularly, extension of time fees.

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Respectfully submitted,

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